

COUNCIL and COMMITTEE SESSION SUMMARY

Monday, September 18, 2006 – Tuesday, September 19, 2006

*This summary is not intended to be the official record of the Council --
Official minutes are available for that purpose in the Office of Legislative Information Services*

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| MFP | 9:00 AM - 7CHR To be televised live on County Cable Montgomery | |
| Sep 18 | (1)•Report from Board of Elections regarding Election Day issues (Healy) | Discussion to be continued on 9/27/06 |
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| PS | 9:30 AM - 7CHR | |
| Sep 18 | (1)•Update on Germantown fire station projects (Davidson) | Received update |
| | (2)•Overview of Fire Safety Code regulations (Davidson) | Received overview |
| | (3)•Update - Fire Investigations (Davidson) | Received update |
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| PHED | 9:30 AM - 3CCR | |
| Sep 18 | (1)•Damascus Sectional Map Amendment (G-854) (Michaelson) | Recommended approval |
| | (2)•ZTA 06-20, Mixed-Use-Town Center/TDR (MXTC/TDR) Zone - Establishment (Zyontz) | Recommended approval |
| | (3)•ZTA 06-21, Building Coverage - RE-1 Cluster (Zyontz) | Deferred |
| | (4)•ZTA 06-05, C-2 Zone - Site Plan Review (Zyontz) | Recommended approval, as amended |
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| MFP | 2:00 PM - 7CHR | |
| Sep 18 | (2)•IG Report: Study of the Benefits of the Office of Inspector General Establishing a Fraud Hotline (White) | Received briefing |
| | (4)•Revenue forecast for impact taxes (Orlin) | Received briefing |
| | (3) • Revised indicators for capital budget | Received briefing |
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| Tuesday, September 19, 2006 | | |
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| | 9:30 INVOCATION - Reverend Jan P. Lookingbill, Emmanuel Lutheran Church, Bethesda | Gave invocation |
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| | 9:35 PRESENTATION - Proclamation in recognition of Constitution Week by Councilmember Michael Knapp | Proclamation presented |
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| | 9:40 GENERAL BUSINESS | |
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| | A. Announcement - Agenda and Calendar Changes | Noted addendum |
| | (1) B. Acknowledgement - Receipt of Petitions | None received |
| | C. Action - Approval of Minutes: July 25, 2006 | Adopted (8y; MSta)* |
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| *y=yes; *ta=temporarily absent | | |

| RES/ORD | SUBJECT | ACTION |
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| | (2) 9:45 CONSENT CALENDAR | Adopted (8y; MSta)* |
| | A. Introduction - Resolution to approve the FY07 schedule of revenue estimates and appropriations (Sherer) | Introduced |
| | <i>Action is tentatively scheduled for 9/26/06.</i> | |
| | B. Introduction - Resolution to approve the Franchise Agreement for Use of Public Right-of-Way: Xspedius (Healy) | Introduced |
| | <i>Public Hearing is scheduled for 10/10/06 at 1:30 pm.</i> | |
| | C. Introduction - Resolution to adopt the National Incident Management System (NIMS) for Montgomery County (Davidson) | Introduced |
| | <i>Action is tentatively scheduled for 9/26/06.</i> | |
| | D. Introduction - Special appropriations to the County Government's FY07 Operating Budget, Department of Recreation - \$206,270 for Paint Branch Sports Academy, \$206,270 for Springbrook Sports Academy, and \$169,230 for Wheaton Sports Academy, sponsored by Councilmembers Praisner <u>Subin, Perez, and Denis</u> (Source: General Fund Reserve) (Sherer) | Introduced |
| | <i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i> | |
| | E. Introduction - Special appropriation to the Montgomery County Public Schools' FY07 Operating Budget - \$400,000 for Automated External Defibrillator Program (Source: General Fund Undesignated Reserves) (Planell) | Introduced |
| | <i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i> | |
| | F. Introduction - Supplemental appropriation to the Montgomery County Public Schools' FY07 Operating Budget - \$997,433 for Teaching American History Program (Source: Federal Grant) (Planell) | Introduced |
| | <i>Public Hearing/Action is scheduled for 10/3/06 at 1:30 pm.</i> | |
| | G. Introduction - Resolution to approve categorical transfer of \$7,050,000 for MCPS' FY06 Operating Budget (Planell) | Introduced |
| | <i>ED Committee worksession tentatively scheduled for 9/28/06.</i> | |
| | <i>Action is scheduled for 10/3/06.</i> | |
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| RES/ORD | SUBJECT | ACTION |
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| | (2) 9:45 CONSENT CALENDAR <i>(continued)</i> | |
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| | H. Introduction - Supplemental appropriation to the County Government's FY07 Operating Budget, Department of Health and Human Services, Children, Youth, and Family Services - \$370,211 for Crossroads Youth Opportunity Center Demonstration Grant (Source: U.S. Department of Justice, Office of Justice Programs) (McGuire) | Introduced |
| | <i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i> | |
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| | I. Introduction - Supplemental appropriation to the County Government's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program, Department of Public Works and Transportation - \$1,608,000 for Multi-Agency Driver Training Facility (Source: G.O. Bonds) (McMillan) | Introduced |
| | <i>Public Hearing is scheduled for 10/10/06 at 1:30 pm.</i> | |
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| | J. Receipt and Release - Office of Legislative Oversight Report 2006-7, Department of Public Works and Transportation: Citizen Inquiries and Requests for Service Trombka/Latham | Received and released |
| | <i>T&E Committee worksession tentatively scheduled for 10/12/06.</i> | |
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| R-15-1599 | K. Action - Resolution to approve Economic Development Revenue Bond in an amount not to exceed \$20 million for The Heights School (Sherer) | Adopted |
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| | L. Introduction - Resolution to support Habitat for Humanity of Montgomery County, MD's application for the State's Community Investment Tax Credit Program (McMillan) | Deleted |
| | <i>Action is scheduled for 9/26/06.</i> | |
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| | M. Action - Appointment of special counsel to provide legal services to Montgomery County and the Board of Investment Trustees: Linda Shore and Stephanie Monaco of Mayer, Brown, Rowe & Maw LLP (Faden) | Approved |
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| R-15-1600 | N. Action - Executive Regulation 16-06, Personnel Regulations - Amendment to extend the sunset date (McGuire) | Adopted |
| | <i>MFP Committee recommends approval.</i> | |
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| R-15-1601 | O. Action - Council nominee to the Bethesda Urban Partnership Board of Directors: Jack D. Hayes (Ferber) | Adopted |
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| RES/ORD | SUBJECT | ACTION |
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| | P. Receipt and Release - OLO Report 2007-1, Review of Montgomery County Public Schools' "Serious Incident" Reporting (Orlansky/Rubin) | Received and released |
| | <i>PS/ED Committee presentation and worksession tentatively scheduled for 10/19/06.</i> | |
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| | 9:50 LEGISLATIVE SESSION Day # 31 | |
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| | A. Approval of Legislative Journal: July 25, 2006 | Approved (8y; MSta)* |
| | B. Introduction of Bills | |
| | (3) • Bill 38-06 , Technical Corrections, sponsored by County Council (White) | Introduced |
| | <i>Public Hearing is scheduled for 10/10/06 at 1:30 pm.</i> | |
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| | (4) • Expedited Bill 39-06 , Streets and Roads - Fees - Preliminary Subdivision Plans, sponsored by the Council President at the request of the County Executive (Healy) | Introduced |
| | <i>Public Hearing is scheduled for 10/24 /06 at 1:30 pm.</i> | |
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| | (4.1) • Expedited Bill 40-06 , Cable Communications - Amendments, sponsored by the Council President at the request of the County Executive (Faden/Healy) | Introduced |
| | <i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i> | |
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| | (4.2) • Expedited Bill 41-06 , Consumer Protection - Internet Access, sponsored by the Council President at the request of the County Executive (Faden/Healy) | Introduced |
| | <i>Public Hearing is scheduled for 10/3/06 at 1:30 pm.</i> | |
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| | 10:00 DISTRICT COUNCIL SESSION | |
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| | (5) A. Introduction - Subdivision Regulation Amendment 06-02, Fees - Preliminary Subdivision Plans, sponsored by the Council President at the request of the County Executive (Healy) | Introduced |
| R-15-1602 | <i>Action - Resolution to establish public hearing for 10/24/06 at 1:30 pm.</i> | |
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| | (5.1) B. Introduction - Zoning Text Amendment 06-24, Home Occupations - Furniture displays, sponsored by Councilmember Denis (Zyontz) | Introduced |
| R-15-1603 | <i>Action - Resolution to establish public hearing for 10/24/06 at 1:30 pm.</i> | |
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| R-15-1604 | (6) C. Action - Resolution to establish public hearing for October 24, 2006 at 1:30 pm on Clarksburg Corrective Map Amendment (G-857) (White) | Adopted (8y; MSta)* |
| *y=yes; ta= temporarily absent | | |

| RES/ORD | SUBJECT | ACTION |
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| | 10:00 DISTRICT COUNCIL SESSION <i>(continued)</i> | |
| R-15-1605 | (7) D. Action - Resolution to extend time until November 22, 2006, for Council action on Damascus Sectional Map Amendment (G-854) (Michaelson) | Adopted (8y; MSta)* |
| O-15-82 | (8) E. Action - Zoning Text Amendment 06-08, Accessory Buildings - One-Family Residential Zones (Zyontz) <i>PHED Committee recommends approval with amendments.</i> | Enacted (8y; MSta)* |
| | (9) F. Action - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Zyontz) | Granted request for oral argument (8y; MSta)* |
| | Application No: G-841 | |
| | Applicant: Shady Grove Investors I, LLC and Shady Grove Investors, II, LLC (Scott C. Wallace, Attorney) | |
| | Property: 6.92088 acres located at the Northeast quadrant of the intersection of Omega Drive and Research Boulevard, Gaithersburg | |
| | Action: Rezone from C-2 to PD-44 | |
| | Recommendations: Planning Staff: Approve | |
| | Planning Board: Approve | |
| | Hearing Examiner: Deny | |
| R-15-1606 | (10) G. Action - Resolution to extend time for Council action on G-841 until October 31, 2006 (Zyontz) <i>Note: Extension will be required if oral argument is granted above.</i> | Adopted (8y; MSta)* |
| | (11) H. Oral Argument and Consideration of Hearing Examiner's Report and Recommendation: (Zyontz) | Approved by a straw vote (5y; MP, TP, PA, HD n)* |
| | Application No: G-842/DPA 06-2 | |
| | Applicant: Hampden Lane Associates, L.L.C. (Patricia A. Harris, Attorney) | |
| | Property: 22,611 square feet located at 4913, 4915, 4917, 4919 and 4921 Hampden Lane, Bethesda | |
| | Action: Rezone from R-60 to TS-R | |
| | Recommendations: Planning Staff: Approve | |
| | Planning Board: Approve | |
| | Hearing Examiner: Remand | |
| *y=yes; n=no | | |

| RES/ORD | SUBJECT | ACTION |
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| | (13) 1:30 PUBLIC HEARING - Bill 34-06 , Work Release/Pre-Release Programs - Amendments (White) | PH; record open until cob 9/20/06 |
| | <i>PS Committee worksession tentatively scheduled for 9/25/06.</i> | |
| | (14) 1:30 PUBLIC HEARING - Bill 35-06 , Property Tax Credit - Senior Citizens (Faden) | PH; record open until cob 9/20/06 |
| | <i>MFP Committee worksession tentatively scheduled for 9/25/06.</i> | |
| | (15) 1:30 PUBLIC HEARING - Bill 36-06 , Forest Preservation Advisory Committee - Establishment (White/Faden) | PH; record open until cob 9/20/06 |
| | <i>T&E Committee worksession tentatively scheduled for 9/26/06.</i> | |
| | (16) 1:30 PUBLIC HEARING - Bill 37-06 , Property Tax Credit - Green Buildings (Boucher) | PH held |
| | <i>MFP Committee worksession will be scheduled at a later date.</i> | |
| | (17) 1:30 PUBLIC HEARING - Special appropriation to MNCPPC's FY07 Operating Budget - \$142,450 for soccer club game fee subsidies at Soccerplex (Source: General Fund Reserves) (Michaelson) | PH; record open until cob 9/25/06 |
| | <i>PHED Committee worksession tentatively scheduled for 9/28/06.</i> | |
| | (18) 1:30 PUBLIC HEARING on the following supplemental appropriations: (Sherer) | PH; record open until cob 9/25/06 |
| | • Montgomery College's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program - \$4,000,000 for Goldenrod Building Renovation (Source: Current Revenue) | |
| | • County Government's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program, Department of Economic Development - \$2,800,000 for Germantown Business Incubator (Source: State Aid & Current Revenue) | |
| | <i>ED Committee worksession tentatively scheduled for 9/28/06.</i> | |
| R-15-1607 | (19) 1:30 PUBLIC HEARING/ACTION - Special appropriation to the County Government's FY07 Operating Budget, Arts and Humanities Council Non-Departmental Account - \$80,000 for National Philharmonic (Source: General Fund Reserves) (Davidson) | Adopted (9y)* |
| R-15-1608 | (20) 1:30 PUBLIC HEARING/ACTION - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Fiber Technologies Networks, L.L.C. (Healy) | Adopted (9y)* |
| | <i>MFP Committee recommends approval unless issues are raised at the hearing that require further review.</i> | |
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| *y=yes | | |

| RES/ORD | SUBJECT | ACTION |
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| R-15-1609 | (21) 1:30 PUBLIC HEARING/ACTION - Resolution to Approve County Guaranteed Bond Financing Plan for Housing Opportunities Commission: Wheaton Metro Kiss and Ride Development (Healy) | Adopted (8y; MKta)* |
| R-15-1610 | (22) 1:30 PUBLIC HEARING/ACTION - Bethesda CBD Corrective Map Amendment (G-856): Edgemoor Lot 3, Block 12A (Michaelson) | Adopted (8y; MKta)* |
| | <i>Council sitting as District Council for action on this item.</i> | |
| | RECESSED 2:40 P.M. | |
| | (23) 7:30 PUBLIC HEARING - FY08 Annual Budget Priorities and Performance Measures (Farber) | PH; record open until cob 9/20/06 |
| | <i>MFP Committee worksession tentatively scheduled for 9/25/06.</i> | |
| | ADJOURN 8:32 P.M. | |
| | Thursday, September 21, 2006 | |
| | 7:30 PUBLIC HEARING - Zoning Text Amendment 06-23, Signs - Place of Assembly (Zyontz) | Cont'd until 9/26/06 |
| | <i>PHED Committee worksession tentatively scheduled for 9/28/06.</i> | |
| | THIS HEARING IS CONTINUED TO TUESDAY, September 26, 2006 at 1:30 pm. | |
| *y=yes; ta=temporarily absent | | |